

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION CONFERENCE COMMITTEE ON SENATE AMENDMENTS TO HOUSE BILL 214

Call to Order: By **CHAIRMAN DALE BERRY**, on April 12, 2001 at 2:00 P.M., in Room 137 Capitol.

ROLL CALL

Members Present:

Sen. Dale Berry, Chairman (R)
Sen. Steve Doherty (D)
Sen. Fred Thomas (R)
Rep. Jim Shockley, Vice Chairman (R)
Rep. Gail Gutsche (D)
Rep. Rick Laible (R)

Members Excused: None.

Members Absent: None.

Staff Present: None.

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted:
Executive Action: **HB 214**

Senator Berry referred to **Rep. Shockley**, Sponsor of **HB 214**, to make a motion.

Motion: **Rep. Shockley** moved to amend the Bill, conceptually, to cause the judges to take office in January, 2003 after the November election of 2002.

Discussion: **Senator Thomas** said he liked the way the Senate amended it. He asked **Rep. Shockley** if the House would consider this? **Rep. Shockley** said he would not support it and did not think it would get through the House. He thought the understanding was clear they were going back to elected judges. That is what the judge wants and that is what the county

commissioners want in his County. He felt there should not be a political fight over "appointed" and "elected".

Senator Doherty said he visited with his county commissioners and judges and there are some physical problems in getting things set up by the time limit. Obviously, there is a question of "appointed" versus "elected" and the reality question of space allocation. He liked the Bill as it came over from the House because it gave the people in Cascade County hope that they would get a judge and also gave them some time to get it together.

Senator Berry said he knows what the numbers are in his County, Ravalli County, and there is a significant overload and backlog. He talked to three county commissioners and they said it could be done and were concerned about the costs and the time constraints of moving the courthouse.

Rep. Laible said he concurred with the motion and if Judge Langton feels that is not going to encumber him too much and having a judge actually seated on January 1, 2003, it also gives some time to his county to get the courthouse ready and get it in place.

Senator Doherty said to get it out of Appropriations was to reduce the cost. **Rep. Shockley** said his deal was to elect them in 2002 and that is how it got out of Appropriations. So the cost is just postponed until 2003 and the amount saved is about \$125,000 this biennium.

Rep. Laible said there are some positive things, #1 the way the motion is it gives both counties, Ravalli and Cascade, a chance to get ready and get geared up for it and #2, it gives the state's general fund an extra \$125,000 in this biennium.

Vote: Motion carried unanimously 6-0.

{Tape : 1; Side : A; Approx. Time Counter : 0 - 13}

ADJOURNMENT

Adjournment: 2:15 P.M.

Sen. Dale Berry , Chairman

Mary Lou Schmitz, Secretary

DB/mls

EXHIBIT (cch83hb0214aad)